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17 UNITED STATES DISTRICT COURT

18 DISTRICT OF NEVADA

19 \* \* \*

20 **JEFFREY JOHNSON,**

21 Case No.: 2:22-cv-00532-JCM-DJA

22 Plaintiff,

23 vs.

24 **Stipulation and Order to Extend  
Discovery Deadlines (Ninth Request)**

25 **USAA CASUALTY INSURANCE  
COMPANY;** DOES 1 through 10,  
26 inclusive; and ROE CORPORATIONS 1  
27 through 10, inclusive,

28 Defendants.

29 Pursuant to Fed R. Civ. P. 6, Fed. R. Civ. P. 26, LR IA 6-1, LR IA 6-2, LR 7-1, and LR  
30 26-3, the parties, by and through their respective counsel of record, stipulate and  
31 agree that there is good cause to extend the discovery deadlines in the operative  
32 discovery plan [ECF No.141], as set forth below.



1     **A. Pursuant to LR 26-4(a), the parties stipulate that the following discovery has**  
2     **been completed:**

3         1. The parties have served initial disclosures pursuant to FRCP 26(a)(1);  
4         2. Plaintiff has propounded written discovery on Defendants;  
5         3. Defendants have propounded written discovery on Plaintiff;  
6         4. Plaintiff has answered written discovery requests;  
7         5. Defendant has answered written discovery requests;  
8         6. Plaintiff has submitted to a FRCP 35 exam, and Defendant has produced  
9                 that portion of its expert disclosure. Plaintiff submitted to a second FRCP  
10                 35 exam and Defendant produced that portion of its expert disclosure.  
11         7. The parties have held multiple meet and confers on Plaintiff's FRCP  
12                 30(b)(6) notice, and it has been revised multiple times. Plaintiff recently  
13                 provided an updated FRCP 30(b)(6) notice, and Defendant filed a motion  
14                 for a protective order on the notice on July 24, 2024.  
15         8. The deposition of USAA adjuster Mara Kilpatrick took place on June 25,  
16                 2024.  
17         9. The deposition of former USAA Adjuster Claire Lammerding took place  
18                 on June 25, 2024.  
19         10. The deposition of the FRCP 30(b)(6) witnesses and/or employees for  
20                 Defendant USAA is in the process of being rescheduled pending the  
21                 outcome of the hearing on the Motion for Protective Order currently  
22                 scheduled for September 25, 2024.  
23         11. Plaintiff's deposition is currently scheduled for September 9, 2024.  
24         12. The parties have disclosed initial Expert Disclosures.

25  
26     **B. Pursuant to LR 26-3 (b), the parties stipulate that they need to complete the**  
27     **following discovery:**

28         1. Deposition of Plaintiff.



- 1        2. Deposition of percipient witnesses.
- 2        3. Rebuttal Expert Disclosures.
- 3        4. Deposition of Defendant's FRCP 30(b)(6) witnesses and/or employees.
- 4        5. Depositions of Plaintiff's medical providers.
- 5        6. Depositions of each party's respective experts;
- 6        7. Additional Written Discovery; and
- 7        8. Any other discovery that may become necessary upon completion of the discovery above.
- 8
- 9

10 **C. Pursuant to LR 26-3(c), the parties stipulate an extension is needed for the  
11 following reasons:**

12        The parties have been diligent in conducting discovery thus far. Notwithstanding  
13 this fact, there have been several impediments to completing the necessary  
14 discovery within the current discovery period.

15        First, the parties have held hours of meet and confers over multiple months on  
16 Plaintiff's FRCP 30(b)(6) notice after the court granted in part and denied in part two  
17 protective orders on the notice. Plaintiff requires the deposition of the FRCP 30(b)(6)  
18 witness for Defendant before the discovery deadline.

19        Plaintiff noticed the deposition of the FRCP 30(b)(6) witness for Defendant.  
20 However, because the parties could not come to an agreement about the topics  
21 outlined in the deposition notice, Defendant filed a Motion for Protective Order  
22 regarding that deposition. That motion has not been decided by the Court and a  
23 hearing has been scheduled for September 25, 2024, which is the current discovery  
24 deadline. Plaintiff requires the deposition of FRCP 30(b)(6) witness for Defendant  
25 before the discovery deadline.

26        Based on the outstanding discovery still needed, there is good cause to extend  
27 the discovery deadlines sixty (60) days.

28



1       **Pursuant to LR 26-3(d), the parties stipulate to the following proposed  
2 schedule for completing all remaining discovery:**

3       The parties agree to extend all the discovery deadlines in this case by sixty (60)  
4 days, as set forth below:

- 5       1. Extend the discovery cut-off deadline from 09/25/24 to 11/25/24;
- 6       2. The deadline to amend the pleadings and add parties is CLOSED;
- 7       3. The deadline for initial expert disclosures is CLOSED;
- 8       4. The deadlines to disclose rebuttal expert witnesses will not change from  
9 9/13/24;
- 10      5. Extend the date to file dispositive motions from 10/25/24 to 12/23/24; and
- 11      6. Extend the date to file the Joint Pre-Trial Order from 11/25/24 to 01/24/25. If  
12 dispositive motions are filed, the joint pretrial order is due thirty (30) days from the  
13 entry of the court's ruling on the motions.
- 14      7. Fed. R. Civ. P. 26(a)(3) Disclosures must be included in the Joint Pre-Trial Order.

15      DATED this 26th day of August, 2024

16      H&P LAW

17      */s/ Marjorie Hauf*

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27      *Attorneys for Plaintiff*

15      DATED this 26th day of August, 2024

16      SPENCER FANE LLP

17      */s/ Mary E. Bacon*

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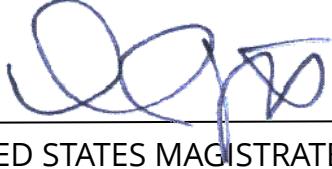
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25      *Attorneys for Defendant*

26      **IT IS SO ORDERED.**

27      Dated: 8/27/2024

28        
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE